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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/400,296

09/21/1999

JOHN S. HENDRICKS

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08/10/2006

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EXAMINER

DADA, BEEMNET W

ART UNIT

PAPER NUMBER

2135

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/400,296

Applicant(s)

HENDRICKS ET AL.

Examiner

Beemnet W. Dada

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-18,20-144 and 148-190 is/are pending in the application.
- 4a) Of the above claim(s) 130-143 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 3-8, 16-18, 25-53 and 57-96 is/are allowed.
- 6) ☒ Claim(s) 9-15,20-24,56 and 144-185 is/are rejected.
- 7) ☒ Claim(s) 54-56, 97-129 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/30/2006 has been entered.

Claim Objections

2. Claim 54 is objected to because of the following informalities: there is no period at the end of the claim. Appropriate correction is required. Claims 55-56 depend from claim 54 and are therefore objected under the same rationale.

3. Claim 97 is objected to because of the following informalities: the term 'is available' is repeated. Appropriate correction is required. Claims 98-129 depend from claim 97 and are therefore objected under the same rationale.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 9-15, 20-24, 56 and 144-185 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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6. Claim 9 recites the limitation "the electronic book content". There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required. Claims 10-15 depend from claim 9, and are rejected under the same rationale.

7. Claim 20 recites the limitation "the first party and the second party". There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

8. Claim 21 recites the limitation "the first party and the second party... the encrypted transaction symmetric key". There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

9. Claim 22 recites the limitation "the symmetric key... the shared transaction symmetric key". There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required. Claims 23-24 depend from claim 22, and are rejected under the same rationale.

10. Claim 56 recites the limitation "the sending party". There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

11. Claim 144 recites the limitation "the text" and "the first through the subsequent encrypted...keys. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required. Claims 145-185 depend from claim 144, and are rejected under the same rationale.

Allowable Subject Matter

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12. Claims 1, 3-8, 16-18, 25-53 and 57 -96 are allowed in view of the terminal disclaimer filed on May 01, 2006.

13. Claims 9-15, 20-24, 54-56, 98-129 and 144-185 would be allowable if rewritten to overcome the 112 2nd rejections and/or claim objections indicated above in this office action.

Conclusion

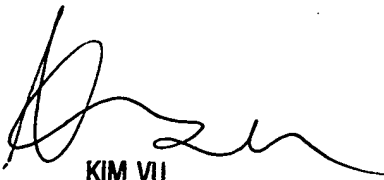
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Beemnet Dada

July 19, 2006


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100